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December 2, 2011

VIA ECF

The Honorable Lois Bloom
United States Magistrate Judge
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, N.Y. 10201

RE: Ann Burton v. Silvercrest Center for Nursing and Rehabilitation,
Marie Mitchell and Darlene Weitzman
11 CV 1417 (SLT) (LB)

Dear Judge Bloom:

This firm represents the defendants in the above-referenced matter. We are writing in response to plaintiff Ann Burton's request to the Court for an extension of time, through December 30, 2011, to file her opposition to defendants' motion to dismiss (Docket Entry # 55). The Court's order dated November 17, 2011, directed that Plaintiff's opposition was to be filed on or before November 30, 2011.

Plaintiff's request is premised on her indication that an eviction proceeding was instituted against her on November 22, 2011 and that she will be moving soon. Plaintiff, however, has known since at least September 26, 2011, that her eviction and move were impending (See Docket Entry # 36). Moreover, plaintiff clearly has had ample time to work on this case during the twelve-day period between November 17, 2011 – the date the Court notified her that her opposition would be due on November 30, 2011 – and the filing of her extension request on November 29, 2011, as is evidenced by the following filings she has made with the Court during that period: (a) objections to the pre-motion conference request, the motion to dismiss and alleged failures of the Court to respond to earlier objections (Docket Entry # 55); (b) objections to the November 18, 2011, Memorandum and Order of Judge Townes, objections to various orders of this Court pertaining to discovery and objections to the timing of the Court's response to her motion to terminate her deposition, to compel discovery from various entities and for a protective order (Docket Entry # 54); (c) a motion to terminate her deposition, compel discovery and for a protective order (Docket Entry # 53); and (d) objections to the deposition, testimony and exhibits (Docket Entry # 51). Nevertheless, defendants do not object to plaintiff being accorded an additional week to oppose their motion, provided that defendants are granted no less than 15 days to file their reply consistent with the Court's order date November 17, 2011.

The Honorable Lois Bloom
December 2, 2011
Page 2

Thank you for your attention to this matter.

Respectfully submitted,

/s/
Alesia J. Kantor

cc: Ms. Ann Burton (via first class mail)